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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/649,792	08/29/2000	Thomas G. Adams	19927-000610US	9154

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EXAMINER

BLAIR, DOUGLAS B

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 03/26/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/649,792

Applicant(s)

ADAMS ET AL.

Examiner

Douglas B Blair

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Number 6,584,096 to Allan.

3. As to claim 11, Allan teaches a system for receiving and processing a transport stream, the system comprising: a receiver configured to derive multiple elementary sub-streams, each elementary sub-stream including a received media access control address (col. 5, line 66-col. 6, line 38); and a hardware comparison engine being configured to compare the received MAC address of a particular data stream against a plurality of stored MAC addresses (col. 5, line 66-col. 6, line 38).

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4. As to claim 1, it features the same limitations as claim 11 and is rejected for the same reasons as claim 11.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2-7 and 12-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,584,096 to Allan in view of U.S. Patent Number 5,931,968 to Gray.

7. As to claim 12, Allan teaches the system of claim 11; however Allan does not explicitly teach direct memory access.

Gray teaches a system comprising direct memory access transfer engine within a receiver, wherein the receiver is configured to derive multiple data streams and associated program identifiers form multiple elementary sub-streams, and wherein the DMA transfer engine is configured to initiate DMA transfers of the multiple data streams and multiple elementary sub-streams to the corresponding transfer locations in a host memory (col. 4, lines 16-49).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Allan regarding splitting data streams with the teachings of Gray regarding direct memory access because DMA is a common data storage technique.

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8. As to claim 13, Allan teaches a system comprising an interface connected to the receiver configured to transfer the multiple data streams and multiple elementary substreams to an end user system (col. 5, line 66-col. 6, line 38).

9. As to claim 14, Allan teaches a system wherein the end user system comprises an audio-visual system and interface comprises an audio-visual interface (col. 5, lines 22-29).

10. As to claim 15, Allan teaches a system wherein the end user system comprises a network computer system and the interface comprises a network interface (col. 5, lines 22-29).

11. As to claim 16, Allan teaches a system wherein the end user system comprises a browser (col. 5, lines 22-29).

12. As to claim 17, Allan teaches a system wherein the hardware comparison engine is further configured to filter out unwanted elementary substreams associated with a particular data stream (col. 5, line 66-col. 6, line 38).

13. As to claims 2-7, they feature the same limitations as claims 12-17 and are rejected for the same reasons as claims 12-17.

14. Claims 8-10 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,584,096 to Allan in view of U.S. Patent Number 6,400,715 to Beaudoin et al..

15. As to claim 18, Allan does not explicitly teach a MAC address being concatenated with a disable bit.

Beaudoin teaches a system wherein a stored MAC address is concatenated with an index and disable bit (col. 22, lines 8-43).

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It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Allan regarding splitting data streams with the teachings of Beaudoin regarding the concatenation of a MAC address, index, and disable bit because such a concatenation simplifies comparisons.

16. As to claim 19, Beaudoin teaches a system wherein a hardware comparison engine is configured to compare a received MAC address for a particular substream against a plurality of stored MAC addresses by: masking a plurality of bits of the received MAC address (col. 14, lines 26-46); and iteratively comparing each of the unmasked bits of the received MAC address against the corresponding unmasked bits of each of the plurality of stored MAC addresses until a match is found (col. 14, lines 26-46).

17. As to claim 20, Beaudoin teaches a system wherein a MAC address comprises 48 bits and each of the stored MAC addresses comprises 48 bits (By definition a MAC address contains 48 bits, 24 bits for a vendor and 24 bits for a card id).

18. As to claims 8-10, they feature the same limitations as claims 18-20 and are rejected for the same reasons as claims 18-20.

Conclusion

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas B Blair whose telephone number is 703-305-5267. The examiner can normally be reached on 8:30am-5pm Mon-Fri.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on 703-305-9705. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Douglas Blair
March 18, 2004

DBB

Jack Harvey
JACK E. HARVEY
SUPERVISORY PATENT EXAMINER